**Meeting of the Board of Selectmen January 12, 2021**

**Phone: 669-224-3318**

**Access Code: 220-595-605**

**7:00 p.m. Special Town Meeting – Voting participants are required to attend in person at Town Hall. No remote participation is allowed.**

At 7:00 p.m., Town Moderator John Donohue opened and presided over the Special Town Meeting. He stated:

“Article 1: To see of the Town will vote to transfer $401,740 as detailed below from the ambulance receipts account to operate the ambulance service for the second half of FY2021; with any unused funds at the end of Fiscal Year 2021 to be returned to the ambulance receipts account; or take any action relative thereto. (Submitted by the Raynham Fire Department).Personnel expenses are $266,024, other expenses are $135,716 for a total transfer of $401,740. What’s the pleasure of the Town Meeting?” Selectman Patricia Riley made a motion to approve. Selectman Joseph Pacheco seconded the motion. Mr. Donahue said, “Motion has been made and seconded to accept Article 1. Is there any discussion on Article 1? Seeing none, all those in favor, please say ‘I’. Ms. Riley, Mr. Pacheco, and Selectman Richard Schiavo each said “I”. Mr. Donahue said, “Any opposed? Seeing none, Article 1 passes unanimously.” Ms. Riley made a motion to dissolve the Special Town Meeting. Mr. Pacheco seconded the motion. Mr. Donahue said, “A motion has been made and seconded to dissolve the Special Town Meeting, Is there any discussion on the motion to dissolve? Seeing none, all those in favor of dissolving the Special Town Meeting, please say ‘I’. It was so voted. Mr. Donahue said, “The Special Town Meeting is dissolved.”

**7:15 p.m. Regular Selectmen’s Meeting –** with Remote Public Access

Chairman Riley called the open meeting to order at 7:15 p.m. in the Donald McKinnon Meeting Room at Town Hall. In addition to Chairman Riley, Selectmen Joseph Pacheco and Richard Schiavo were in attendance. Ms. Riley announced, “Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G. L C.30A, §18, and the Governor’s 2020 Order imposing strict limitations on the number of people who may gather in one place, this meeting of the Raynham Board of Selectmen is being conducted with the Public Body members in person at Veterans Memorial Town Hall and with the general public following the proceedings remotely. Every effort has been made to ensure that the public can adequately access the proceedings as provided for in the Order. For real time access, residents can join the live broadcast on the Raynham Channel, use the “gotomeeting” online feature, and/or call in using their phone. The Town will post a record of this meeting on the Town’s website as soon as we are able. Please note that this meeting is being recorded. Also, in accordance with the Executive Order, other town officials and staff participating in the meeting include Selectmen Joseph Pacheco, Selectman Richard Schiavo, Town Administrator Graham Waters, Police Chief Jim Donovan, Fire Chief Bryan LaCivita, Building Commissioner Bob Iafrate, and representing Pomroy & Associates, Richard Pomroy and Taylor McDonald, and Recording Secretary Janet Murphy.”

**Acceptance of the Minutes**

Ms. Riley asked for a motion to accept, as printed, the minutes of the Selectmen’s meeting held on January 5, 2020. Mr. Schiavo made a motion to accept, Mr. Pacheco seconded, and Ms. Riley made it unanimous.

**New Business**

1. **Discussion: Presentation of the Raynham Public Safety Building Committee**

Mr. Richard Pomroy, Owner’s Project Manager of Pomroy & Associates, was present to give the presentation and schematic design of the proposed public safety building. He said, “The project is designed to accommodate both the Fire and Police Departments. Also present is Taylor McDonald, who has been working extensively on this project. The Project Architects, Don Walter, Glen Gillard, Jason Harris and Matt Alpert of Dorr & Whittier will be calling in to join the meeting. They have been working with Department Heads, Graham Waters, Bob Iafrrate, Chief Donovan and Chief Lacivita, and many members of the departments, also Dan Andrade, Joe Bettencourt, John Noblin and Frank Campbell of the Building Committee.” Mr. McDonald then discussed the history of the project that began in December 2019, was put on pause temporarily during the pandemic, and was started back up again in July 2020. Mr. Pomroy added, “The site is on King Philip Street and is in the process of a land transfer with the State, due to the gracious donations of John Noblin and Frank Campbell. There has not been a final determination as of yet. This parcel is being focused on for the study. We’ve done the site planning for it, but the engineering is being held off until the final determination from the State. As part of the process, Dorr & Whittier has commissioned a response time study to confirm that the Borden Colony parcel would be suitable primarily for the Fire Department to be able to cover all the areas of the Town within the guidelines of NFPA. The Police Department cruisers are out on the street most of the time, but the Fire Department vehicles are in the apparatus bays most of the time.” Mr. Harris of Dorr & Whittier then discussed the response time. He stated, “The response times were analyzed from two, four, six and eight minutes and are all well within the NFPA guidelines, so this is a good location for a response time, as well as being a good buildable site.” Mr. Pomroy said, “Dorr & Whittier have also done project programming. They have met with both departments to see how they operate and they have taken that information and have done design standards for both departments of this era and considering future growth.” Mr. Harris said they have held very extensive meetings with the departments and the building has gone from 65,000 sq. feet down to just over 50,000 sq. feet plus an out-building of 8,000 sq. feet. The space for the Fire Department is set up to keep staff as healthy as possible, and the building is set up to keep contaminants from invading space throughout. Mr. Pomroy explained that with the proposed building, when firefighters come back from an event, the first thing they will do is decontamination, where all articles of clothing are removed, and there are washing stations to clean their gear so none of the contaminants make their way to the second floor. There will be public spaces on the main floor and there will be a place to hold up to 90 people for public meetings. There will also be safe zones for the Police Department to have an ultra-secure environment when they process detainees. There will also be separate facilities for male and female employees. He explained, “Sleep deprivation is a big concern for firefighters and this has also been addressed. There will be an emergency operations center that can hold up to 60 people and can also be used for trainings. There will be a large storage area in the rear of the building and a covered canopy for up to 12 cruisers for inclement weather. The exterior of the building will be colonial in nature to blend into the surrounding area with a metal roof. The building is being built to be as maintenance free as possible and should last for at least 50 years.” Mr. Harris said that they are on schedule for schematic design and look forward to public presentation in early spring and Town Meeting in May. Mr. Pomroy said as the project goes along there will be refinement and they look forward to input. He added, “The construction estimate at this time, including the out-building, is $34,216,864 and to that we add an owner’s construction contingency, and we add a general contingency and those are paramount for any properly prepared development budget for any changes.” Mr. Iafrate added, “Both the Fire and Police Departments have spent a lot of time with the architect to design a building that works for both departments. This is unprecedented for Raynham and this maybe should have been done 5 – 10 years ago. We should have been looking at numbers that would be less than today. This building is designed to be very user friendly and will have a meeting room twice the size of this room.” Both Chief Donovan and Chief LaCivita thanked Mr. Pomroy for all his efforts. Mr. Pacheco also thanked everyone for their hard work and he said, “It’s nice to see a project moving forward that I have been advocating for for a number of years. My only priority is that this becomes a reality and, at the current cost, it is not a reality. I don’t believe the taxpayers of Raynham will approve a cost of this amount. Any amount over $17m would represent the largest public building project in Raynham history. Once you go north of $35m, I do not believe this will pass. I don’t know that this will pass Town Meeting and I’m very confident it wouldn’t pass a ballot vote. I think this is a good start, but I sincerely believe we will have to go back and remove some of these things and do certain things in phases. I believe we have one stab at it. We will have to go to the ballot box for a debt exclusion.” Mr. Pacheco added that if a debt exclusion vote does not pass, “We are back at square one and stuck with the antiquated building that doesn’t meet our needs and $1m in planning costs have gone out the window for a project that failed. I think this was a wonderful presentation, but maybe pre-COVID this may have been more realistic, but in the economy we are in right now, I don’t see the taxpayers of Raynham approving a project that’s $40m. We will have to have some serious dialogue about ways we can adjust this and bring this to a number that would be palatable for the taxpayers of Raynham to approve. There is an outbuilding that could be removed and discussed at a later time. The rough cost just for the outbuilding is $3.9m and that would be a savings. Again, we only got these last night. I would like to have some more time to digest it and get some more explanations between now and our next meeting on some of the soft costs. You also spoke to the fact it was going to be a metal roof as opposed to an asphalt roof. Do you have an approximate cost differential between the two?” Mr. Pomroy said, “We did not price it, but we will have that available.” Mr. Pacheco said,”Is it a safe assumption that an asphalt roof would be cheaper?” Mr. Pomroy said, “An asphalt roof would be cheaper.” Mr. Schiavo said, “It is a project that has been needed for many years. The design is excellent, and I see that complex as a potential community center. Across the street, we have a Senior Center, Park & Rec and the Lions Club. That will be as close as anything we have to a downtown. I question the appropriateness of a gun range in a community center where we are inviting people. If you look at the difference between soft and hard costs, that gun range is going to cost between $3 - $4m. That is a lot of money for a program that we are trying to sell to the community in a time when money isn’t that easy to come by. We are trying to balance our budgets in a very difficult year. Maybe we can do this in stages. I am surprised that there has been not much that has been said about the Animal Control area. Some time ago Jeff Kelleher headed up a committee on the appropriateness of having our animal control people utilize North School a few hours a week. The opinion of the committee was that it’s not appropriate. The problem is that there’s no other place. We need to put into this program a prefab 1,000 sq. foot building on a slab for $200,000 - $300,000.” Mr. Pomroy said he wanted to clarify the reference to a gun range in a community setting. He explained, “This is a fully contained unit that will contain all projectiles in the shooting range and will be soundproof and is safe.” Mr. Schiavo said, “There is a gun range less than two miles away. I don’t know why they can’t use that for the interim and the cost is only $130 per year.” Ms. Riley thanked Mr Pomroy and his associates for the presentation. She said, “It was a great presentation. Unfortunately the timing is so bad financially and yet we need it so desperately. Is there a way that this could possibly be done in stages?” Mr. Pacheco said, “The Board did say that they did want to include the ACO piece and I think we should get something related to that and I think it’s time and it’s necessary. I know, Madam Chair, that you like to do things in incremental parts, and the staging of this project falls in line with that.” Mr. Iafrate said, “It was brought to the attention of the committee to look into the ACO building, but we spent most of our time on the main part of the building, and we do need an outbuilding.” Mr. Iafrate explained that the area designated for Animal Control was not going to be part of the main building. He said, “As a committee, we located it on the property and decided how big it should be.” Ms. Riley added that the Borden Colony location would provide better public safety, especially fire protection, for north Raynham which has been a concern for years. Mr. Pacheco said, “I just would like to hone in on a better number.” Mr. Iafrate said, “Mary from Senator Marc Pacheco’s office called and said he will need a vote that the Board approves the donation of land and the land swap for Borden Colony, so it’s on the record to show the legislature the Town is willing to move forward on this process.” Mr. Pacheco said, “I make a motion to accept the generous donation of land by Mr. Frank Campbell and Mr. John Noblin and also to designate the area as the potential Public Safety Complex and that it is consistent with discussions we’ve been having for about two years, and this site and this project is not something that is being heard for the first time.” Mr. Schiavo seconded the motion and Ms. Riley made it unanimous. Ms. Riley also asked that a letter be drafted to acknowledge and thank Mr. Noblin and Mr. Campbell for the generous donation they have made to make the project possible. Mr. Pacheco made the motion, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

**Department Heads & Committees – attendees online**

Fire Chief Bryan LaCivita was present. He reported, “For the month of December, there were 106 fire incidents, 219 ambulance calls and 117 fire prevention activities. We finished the year with 3,116 calls which is up 191 from last year. Even having been down a number of personnel, we kept up with the pace.” Chief LaCivita added, “Burning permits are available online at raynhamfd.com.” He also updated the Board on an employee out on extended sick leave. The Board thanked Chief LaCivita and the members of his department for all of their efforts.

**Appointments**

An application for re-appointment as constable was received from Joel Thomas, and it was recommended by the Police Chief. Mr. Pacheco made a motion to re-appoint, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

**Public Hearings** (attendees online**): Raynham Corp. – Gravel Permit Renewal:**

Ms. Riley said, “This is a renewal permit for the operation on Gardner Street.” No one representing the Raynham Corp. was present or online for the public hearing. Mr. Pacheco made a motion to approve contingent upon the successful testing of the materials which has been past practice, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

**Completion of Old/Continuing Business: Service Contract with MX Consulting Services, Inc.:**

Mr. Waters said, “At this time, I am not prepared to bring this before the Board and I request that this be tabled until next week as I have to consult with legal counsel.” Mr. Pacheco made a motion to table, Mr. Schiavo seconded, and Ms. Riley made it unanimous.

**New Business**

* **Discussion: and action: Human Resources Job Description:**

Mr. Waters said, “In your packets is a draft job description for the Human Resources position, which was prepared by comparing job descriptions for a couple of other towns and by submitting it to the Collins Center for input and doing a survey of the salary range and essential functions of the position.” Mr. Schiavo said, “I have suggested to the Board that we get an RFP for the Human Resources position and hold off on the posting of the Finance Director position because we are still very deep in trying to fill the Accounting position and I think it would be in our best interests to accomplish that first. I am making a motion that the Board go forward with posting the Human Resources position and hold off on the Finance position.” Mr. Pacheco said, “I want to caution the Board. We still do not have a budget for this fiscal year. Last week, we were given the expenditure report which I don’t believe is the entire report and some of the pages are concerning to me as some of the departments are 81.6% spent and we are only 6 months through the year. Our IT is at 71.2% spent and we are continuing to spend money and I think it would be better to have a budget to see where we are. If the Board is adamant about moving forward, absent a year-to-date budget, there are a few things in the job posting that I would suggest that we change. On Page One, we have no dental plan. That should be stricken. Also, there is no reference on this position liaising with Labor Counsel. In terms of education and experience, I think that not only a degree but also very relevant and precise certification should be required. I would rather see certification required such as an Associate Professional of Human Resources. There are literally 6 – 8 certifications that would dictate a person’s expertise and subject matter knowledge. We should put the pressure on certifications and re-certifications. I would appeal to the Board that we hold off until we have a budget and if the Board were to move forward, I hope that you would incorporate my request on that.” Ms. Riley said, “We did pass an article at Town Meeting concerning a salary for the position, but I hear what you are saying about the budget.” Ms. Riley asked Mr. Schiavo if he would be amendable to tabling the matter for two weeks to incorporate in the job description the items Mr. Pacheco referenced and to get an update on the budget. Mr. Schiavo replied, “I don’t think we need to table this for two weeks. The changes that Mr. Pacheco made could be incorporated in two days. The clock is ticking, and we need that position. It is defined very well by the committee and the DLS group and the Collins Center and everyone says that it is a critical part of the whole change we need with the makeup of the departments. Mr. Pacheco makes a good point. Some of these departments are over budget. What we need to do is start policing some of these departments, not table an important position.” Mr. Schiavo said he agreed that certifications are critical and should be included and he asked Mr. Waters when a refined copy could be completed and given back to the Board for review. Mr. Waters said it could be done by the end of the week. Mr. Pacheco asked about revenue projections and when they could be given to the Board. Mr. Waters said he would ask the interim accountant for that information to present to the Board. Mr. Pacheco said it would not be necessary for the interim accountant to participate in the next meeting, “but there seems to be things missing. What I would really like to see is if it’s year-to-date and where we are with revenue vs. expenditures because two departments alone are 20 – 30% over budget, and whether we are going to have to touch our emergency reserve fund or free cash to balance the budget and maybe table this for one week. This will give Mr. Waters some time to make the changes and time for us to get more accurate budget information. I would implore the Board that it’s a lot easier to keep a position vacant than to lay somebody off. If we are in a dire financial position, that could be the road we are going down.” Mr. Waters said, “A lot of the departments are front-loaded and there is $50,000 allocated for this position. I think it would be highly practical to table this for a week and have the Town Accountant and the Treasurer/Collector address the Board.” Mr. Schiavo said, “I am amenable to one week but predicated on the fact that the tabling is simply to put together the details that we all agree with, but if we are going to table this to go over some financial information when we are spending tens of thousands of dollars for many other projects that I think are far less important, then I am not for it. If we are just going to refine the job description and post it next week, fine, but if we are going to use financial information as an excuse to postpone this further, then I’m not for it.” Mr. Schiavo reiterated that his motion was to table the matter for one week and proceed with the advertising. Mr. Pacheco seconded and added, “Perhaps the HR Consultant can recommend the appropriate certification that would be better suited for the Town.” Ms. Riley called for the vote which passed unanimously.

* **General Code Bylaw Project/Bylaw Committee:**

Mr. Waters said that the Town Clerk would be calling in to discuss the project and she is prepared to solicit an estimate for the scanning of the documents to help move the project forward. Town Clerk Marsha Silva then called in to join the meeting. She explained that she has requested a quote to scan the files the Town has with information received from the Attorney General regarding the town’s bylaws. The Board thanked Mrs. Silvia for her assistance.

**Town Administrator’s Report**

In his report, Mr. Waters explained, “The Highway Department continues normal operations with 3 employees out of work due to the sickness or on quarantine with COVID-19 related restrictions. They have closed the office building to the public and are doing permit and tag sales by mail or drop box. They are extending the grace period for obtaining new permits until further notice with continuing steady gradual sign-ups. The Highway staff will process requests as soon as possible.

Mr. Waters also reported, “The updated job description for the Town Accountant’s position has been posted in the following locations: the Town website, MMA job board, RI League of Cities and Towns’ job board, MMAAA job board, MAGFOA job board, Linkedin and Indeed. The Committee will meet again this week to review any new applications.”

For upcoming business, Mr. Waters reported, “The next regularly scheduled Board of Selectmen’s meeting will be held on Tuesday, January 19, 2021 at 7:00 p.m. in the Don McKinnon Meeting Room in Town Hall, 558 South Main Street, Raynham, Massachusetts. The public will be able to participate via the GoToMeeting platform or by watching the RayCAM channel on Verizon, Comcast, or a recording posted later on YouTube.

The Town Hall HVAC cleaning will be done this weekend, the Town Hall employees have been notified and the Town will also be soliciting estimates to replace ceiling tiles in Town Hall.”

**Selectmen’s Report**

Mr. Schiavo asked about the transition of the IT services with regard to MX’s participation and how it is working. Mr. Waters said, “They are about 95 – 98% complete with a few projects to complete and that should be done in a week or two.” Mr. Schiavo asked that a letter of appreciation be sent to Mr. Tim Grabarz for all of his efforts when he served as the Town’s IT consultant and for his assistance with the transfer to MX. Mr. Pacheco seconded the motion and Ms. Riley made it unanimous.

**Correspondence**

A letter of resignation was received from Yvonne Quinlan as Clerk for the Senior Center, effective Jan. 11, 2021. Ms. Riley noted that Mrs. Quinlan has served in the position for many years and she will be missed by everyone. Mr. Pacheco made a motion to accept with regret and offer appreciation for her years of service, not only in the position of clerk, but also as a former member of the Council On Aging. Mr. Schiavo seconded the motion and Ms. Riley made it unanimous.

**Performance of Administrative Duties**

Mr. Schiavo motioned to approve the Town of Raynham Payroll and Invoice Warrants dated January 12, 2021, as submitted, Mr. Pacheco seconded, and Ms. Riley made it unanimous.

Mr. Schiavo then made a motion to approve the Police Department Payroll and Invoice Warrants dated January 12, 2021, as submitted, Ms. Riley seconded the motion and Mr. Pacheco abstained. Miss Riley asked for a roll call vote: Mr. Schiavo said, “I”. Ms. Riley said, “I”. Mr. Pacheco abstained.

**Executive Session**

At 8:00 p.m., Ms. Riley asked for a motion to go into Executive Session in accordance with (M. G. L. Chapter 30A, Section 21, to conduct strategy sessions in preparation for negotiation with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel and also to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Ms. Riley stated that the Board would return to open session only for the purpose of adjourning with no additional business to be conducted. Mr. Pacheco made the motion and Mr. Schiavo seconded it. Ms. Riley called for a roll call vote. Mr. Pacheco, Mr. Schiavo and Ms. Riley each voted, “I”.

**Adjournment**

At 8:40 p.m., the Board returned to open session and voted to adjourn the meeting.

Respectfully Submitted,

Janet Murphy, Recording Secretary